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**Subject:** EPA Mid-Atlantic Region Headlines - Tuesday, February 19, 2019

# EPA Mid-Atlantic Region Headlines

Tuesday, February 19, 2019

## \*\*\* DAILY HOT LIST \*\*\*

### Editorial: EPA spins its wheels on PFAS

DOYLESTOWN INTELLIGENCER Maybe we're a little bit cynical from five years spent watching the government's response to the presence of toxic PFAS chemicals in our communities' water supplies. But we're worried that acting EPA chief Andrew Wheeler's big Thursday news conference in Philadelphia to discuss the EPA's PFAS action plan had more to do with removing the "acting" from his job title than making substantive progress on an issue that's vitally important to area residents. We hope we're wrong. Late last month, online news site Politico reported that the EPA would not set a drinking water standard for PFOS and PFOA, which were used locally in firefighting foams at military bases and have contaminated water wells used by tens of thousands of residents in Bucks and Montgomery counties. Citing two unnamed sources, the report indicated Wheeler had signed off on a plan that would not regulate the chemicals under the Safe Drinking Water Act. Politico followed that up the next day with a report suggesting key congressional Republicans were concerned about the decision and the matter could imperil Wheeler's confirmation as the next EPA chief, which could soon come to a full Senate vote. When Wheeler addressed the media and others watching the situation Thursday, he announced that any decision on whether to regulate PFOA and PFOS wouldn't happen until the end of the year. To us, that sounds like the EPA could decide at the end of the year to regulate the chemicals. Or it could decide not to. Then Wheeler gave what sounded like a personal assurance that he would regulate the chemicals. "We have — I have every intention of setting a (maximum contaminant level)," Wheeler said. It's a little bit dicey to try to parse that quote. But it looked to us like he stopped himself from speaking for the EPA there and then suggested that he had every intention of regulating them if he gets confirmed. We could be wrong. That might not have been what was going through his head when he said that. But the substance of what he said was not dissimilar to what his predecessor Scott Pruitt said almost a year ago: that the EPA would "take the next step under the Safe Drinking Water Act process to evaluate the need of a Maximum Contaminant Level for PFOA and PFOS." Upper Dublin resident and environmental attorney Mark Cuker nailed our feelings when he said "Why would I have any faith when they said the same thing nine months ago and haven't done anything? There's a show to make it look like they're doing something and then they drag their feet on everything substantive." So this looks to us like a hastily arranged news conference that covered very little new ground in the wake of a potentially damaging Politico report and shortly before a possible Senate vote on Wheeler's confirmation. Again, we hope we're wrong. Because getting the substances listed is crucial for members of our community. Since 2014, PFAS chemicals have been found in the drinking water of more than 70,000 area residents, mostly those living in Warminster, Warrington and Horsham. The chemicals have been linked to a variety of health impacts. The military has spent millions providing filters and clean water in affected communities, but some residents believe the chemicals have made them sick. The establishment of a drinking water standard would help protect residents and provide leverage to those whose water supplies exceed the limit and are seeking compensation. It seems like the Pennsylvania Department of Environmental Protection had some misgivings about the EPA's position as well. On Friday, the day after the EPA press conference, the DEP announced that it would work to set its own drinking water standards for the chemicals. While the DEP has been considering such a move for some time, officials there said

the EPA's position prodded the DEP to move forward. Either way, we remain convinced that this needs to be done by someone. We'd prefer it be the EPA. But we applaud the DEP for seeing signs of trouble and promising to act.

## Pa. to begin its own process of setting health limit for two PFAS chemicals

**STATE IMPACT PENNSYLVANIA** Pennsylvania will begin the process of setting its own health limits for two toxic PFAS chemicals because it's unclear when the federal government will set national standards, the Department of Environmental Protection said late Thursday. Responding to Thursday's announcement by the U.S. Environmental Protection Agency that it will begin the process of setting maximum contaminant limits (MCLs) for PFOA and PFOS this year, the DEP committed for the first time to laying the groundwork for a statewide standard for the chemicals. "Pennsylvania will begin the process to set an MCL for PFOS and PFOA," DEP spokesman Neil Shader wrote in an email. "To that end, the Department of Environmental Protection will be moving forward with a Request for Proposals to hire a consulting toxicologist to evaluate existing health studies with the ultimate goal of establishing a protective MCL for the state." The email welcomed what it called the EPA's "first steps" toward setting a federal health limit but said Pennsylvania would move ahead with establishing its own MCL because "the people of Pennsylvania cannot wait on the federal government." Although the administration of Democratic Gov. Tom Wolf set up an "Action Team" of state officials to respond to PFAS contamination last September, it did not say then that setting a MCL would be part of the team's mandate, and has not publicly set that goal until now. Advocates for stricter limits on PFAS chemicals in drinking water say that MCLs are essential to protecting public health, and have questioned why Wolf's team did not name the establishment of those limits as its primary goal. Critics of the EPA plan said it offered no immediate way of cleaning up contaminated water supplies, and represents another delay from an agency that has been widely criticized for failing to set enforceable national health limits for the chemicals...

## Commentary: Coal ash cleanup bill an historic leap forward for Virginia

**RICHMOND TIMES-DISPATCH** In a normal year, the Virginia General Assembly has at most 60 days to consider which of the thousands of bills best protect and advance the interests of the citizens of the commonwealth. Richmond has been anything but normal this year. Despite a scandal-plagued political environment, both houses of the General Assembly remarkably passed a landmark piece of legislation to address one of the commonwealth's largest and most complex environmental threats: coal ash. Rather than throw this critical issue into the political fire, the General Assembly put its head down and reached bipartisan consensus to clean up this problem once and for all. Coal ash, the byproduct of burning coal, contains a suite of toxic heavy metals and carcinogens, like arsenic and radium. Up until now, Dominion stored more than 28 million tons of coal ash in primitive pits on the banks of iconic rivers — the James, Potomac, and Elizabeth — which flow right into the Chesapeake Bay. The coal ash sits in constant contact with the groundwater and, as a result, every single one of these sites has documented, serious contamination. Take a kayak out in the popular Dutch Gap Conservation Area, and try to ignore the evidence that the 15 million tons of ash at the Chesterfield Power Station sitting in plain view just beyond a chain link fence is leaking pollutants into the water beneath you. Sail up the Elizabeth River in Chesapeake and consider how a peninsula of coal ash — much of it sitting below sea level — will fare during the next Hurricane Florence. Visit a friend whose property abuts the Possum Point site in Prince William County, and think about whether you would feel safe if millions of tons of coal ash was being stored in ponds without modern liners so close to your backyard. Look up at the 6 million tons of ash at the Bremo site as you float down the James River in Fluvanna County, and imagine what would happen if that earthen dam gave way....

## Editorial: Proving the EPA Can Be Relied Upon

**WHEELING INTELLIGENCER** With some local residents expressing concern about the ethane cracker plant that may be built in Belmont County, it is important that government regulatory agencies ensure there is reason to have faith they will enforce environmental rules. A U.S. Environmental Protection Agency announcement last week may help in that regard. EPA officials said they are investigating whether a chemical manufacturer, the Chemours Co., broke laws in two West Virginia communities and one in North Carolina. The Mountain State concern involves alleged contamination of water wells around Chemours factories near Parkersburg and Fayetteville. In North Carolina, the firm allegedly failed to notify the EPA before beginning to manufacture new compounds. If Chemours is guilty of infractions,

the firm should be penalized, of course. Such action would give area residents more confidence the government will act aggressively to protect both the environment and public health.

## Delaware's Chemours announces a billion-dollar profit, one day after EPA takes action

**WILMINGTON NEWS JOURNAL** Wilmington's Chemours and its investors appear largely unfazed by a federal plan announced Thursday to stringently regulate the environmental releases of chemicals that already have cost the company hundreds of millions of dollars in lawsuits. Chemours didn't mention the plan Friday in announcing its year-end financials. The company said its future is promising, buttressed by growing sales of refrigerants and Teflon-related products, as well as higher prices for industrial paints and sealants. The Delaware chemical company reported profits of almost \$1 billion in 2018, its best performance since it split from DuPont in 2015. The good times are expected to continue through 2019, the company said. Its stock price closed at \$37.73 on Friday, down 2.5 percent for the day, but still up 30 percent since the new year. Chemours employs about 1,000 people in Delaware at its headquarters and labs. It expects to move into \$100 million new labs at the University of Delaware STAR campus in 2020. The Environmental Protection Agency announced Thursday that it plans to place maximum allowable limits on the presence of perfluorooctanoic acid — which DuPont used in Teflon until a decade ago — in soil and water. The EPA also plans to more rigorously study the health effects of GenX, which replaced PFOA. Following its 2015 split from DuPont, Chemours stock languished as a cloud of 3,550 PFOA lawsuits hung over the company. Litigants in those lawsuits alleged that they suffered harmful health consequences from the release of the chemical into the environment around a West Virginia plant. In 2017, Chemours and its former parent, DuPont, settled the West Virginia lawsuits for \$670 million. Investors viewed the deal positively for the company as it removed the uncertainty from years of potential litigation. Long-term exposure to PFOA can cause cancer and developmental problems in fetuses or nursing infants and can impact the liver, immune system, thyroid and cholesterol levels, according to the EPA. The health effects of GenX are less clear, but studies on animals have shown links to liver, pancreatic, testicular and uterine cancers, according to the North Carolina Department of Environmental Quality...

## Editorial: Meuser showing leadership in stormwater-fee fight

**WILKES-BARRE TIMES-LEADER** We usually don't use this space to praise a politician. But we are making an exception today. Kudos to freshman Congressman Dan Meuser for injecting himself into the ongoing debate surrounding the controversial stormwater fee that many across the Wyoming Valley feel is being unfairly foisted upon them. In case you missed it, Meuser is calling for a suspension of the fee until the property owners who must pay it get more information. Good for him. Now, we know you cynics out there are going to say the businessman-turned-lawmaker is simply looking for a way to score some political points because it's clear as day the new fee is about as popular as a bad rash. But even if that may be true, Meuser deserves credit for several reasons. First and foremost, his recent letter to state Department of Environmental Protection Secretary Patrick McDonnell calling for the fee to be suspended puts the congressman squarely at the forefront of this evolving issue. Sure, other politicians have spoken up and expressed concerns, but Meuser has actually taken meaningful action and is being quite forceful in taking up a torch for the people he represents. And there is some risk in doing this for a politician, because if he fails to get the fee suspended or some other remedy to sooth the public outcry, he could easily morph from public advocate to a potential target for public criticism. Here's some of what Meuser recently had to say about the fee: "This is a serious and urgent matter for the constituents of my district, and I plan to continue to seek answers until these fees are explained and municipalities and the people understand how they can be reduced." Again, good for him. He also pointed out how...

## When Federal Employees Can Expect to See Their 1.9 Percent Pay Raise

**GOVERNMENT EXECUTIVE** (Friday) When President Trump signed a bill to keep the government open through Sept. 30, he also authorized a 1.9 percent pay increase for federal civilian employees, effectively overriding his own pay freeze that he enacted last December. But that action is merely the first step in the process to provide a pay raise to federal workers, particularly since the provision is retroactive to the beginning of the year. According to a former Office of Management and Budget official familiar with the federal compensation system, Trump is now obligated to

issue an executive order authorizing a 1.9 percent raise and publishing new pay tables across the various compensation structures. Once those pay tables are published, agency payroll processors will replace existing pay tables in their systems, likely beginning with the next full pay period. Since the current pay period ends Saturday, the first paycheck with the raise will most likely go out during the first or third week of March, provided Trump issues the order in a timely manner. OPM was unable to respond immediately to a query from *Government Executive*. Where things get more complicated is the issue of providing the pay retroactively. Since the bill states that the raise is effective as of the first pay period of 2019, that means agencies will be required to give lump sum payments to workers for what they are owed since Jan. 6. And that work comes as federal payroll processors continue to iron out problems where some employees who were furloughed or forced to work without pay during the 35-day partial government shutdown were not paid all that they were owed or saw key deductions not taken out of their paychecks... Still, it could take weeks for federal workers to see the retroactive raise in their bank accounts.

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## PENNSYLVANIA

### PHILADELPHIA INQUIRER

Snow, wintry mix expected Wednesday in Philly area Forecasters are tracking a winter storm that could bring snow to the Philadelphia area Wednesday. The latest forecasts have the storm's main impact arriving after the morning rush hour, with snow falling throughout the day before turning to into a wintry mix of snow, sleet, and freezing rain late Wednesday and Wednesday night, the National Weather Service said. A winter storm watch, indicating the potential for snow, sleet, or ice accumulations that affect travel, is in place starting at 6 a.m. Wednesday and lasting throughout the day. Slippery road conditions are expected, the weather service said. The current timing for the arrival of snow is likely to lead to early school closures, if districts open in the first place, based on past procedures. Accumulation projections range from one inch at the Shore to four inches in Philadelphia's western suburbs. The wintry mix Wednesday night will transition into rain, which is expected to fall into Thursday morning before giving way to partly sunny skies and warmer temperatures, with a high above 50 degrees. In the meantime, the sun is expected to shine brightly Tuesday, though the mercury is only expected to reach the high 30s. Overnight lows Monday night and Tuesday night are forecast to be in the mid 20s.

Bucks County residents push back against planned chemical plant After four years and numerous stumbles, Israeli-based Elcon Recycling is moving forward with plans to bring a hazardous wastewater treatment plant to Falls Township, and residents are gearing up for a fight. The company wants to build a 70,000-square-foot commercial facility that would annually treat between 150,000 to 210,000 tons of wastewater produced by electronics, pharmaceutical, chemical, and metals manufacturing. The toxic material would be processed in a plant on the Keystone Industrial Port Complex in Falls, once the home of U.S. Steel. Eventually, Elcon said, it would add an additional 70,000 square feet to its facility, bringing the total size of the plant to 140,000 square feet. But residents of the densely populated town along the Delaware River worry that the plant could bring air pollution or even contaminate the river, which is a major source of drinking water for more than 20 towns in Bucks County. "The whole county is going to be affected by this," said Kim Rock, a Lower Makefield resident. "It's scary how far it's progressing." Elcon has insisted that the plant would pose no hazard to the surrounding community. Thermal oxidation, one of its main methods of treating wastewater, would produce air emissions nearly free of pollutants, company officials said. The proposed facility would not treat wastewater that was radioactive or the product of hydraulic fracking, and toxic fluids would be transported by land, not the river...

Some neighbors of Jersey's contaminated Kirkwood Lake say cleaning the shoreline first is a big mistake In Alice Johnston's kitchen, I was unsure which view was more impressive — the sunlit surface of Kirkwood Lake, or the paperwork on the table chronicling the decades-long battle to get toxic elements removed from the water, the lake bottom, and the surrounding landscape. "That's not even all of it," Johnston said, pointing to the foot-and-a-half-tall stack of correspondence, reports, and test results. They detail the lead, arsenic, and other contaminants that have long flowed from a 19th-century industrial complex in Gibbsboro into Kirkwood Lake in Voorhees. The lake is part of a complicated Superfund site that lies mostly upstream in Gibbsboro. It was there that the Sherwin-Williams Co. operated a paintworks — founded by John Lucas in 1852 — from 1930 until the late 1970s. The man-made, 25-acre lake is part of

the Hilliards Creek tributary of the Cooper River. "It was beautiful when we moved here," said Ed Kelleher, a member of Johnston's small but determined citizens group known as the Kirkwood Lake Environmental Cleanup Committee. "Now it's a witch's brew." At long last, Sherwin-Williams has been at work, overseen by the U.S. Environmental Protection Agency, on portions of the Gibbsboro site and is preparing to remove and remediate contaminated soil on Johnston's property and those of five other homeowners along Steven Drive. That work could start as soon as April 1. But Johnston and some of her Steven Drive neighbors call the plan unacceptable. They're concerned about potential risks from contaminants being excavated and transported along a temporary roadway to be built between their backyards and the lake, and about having their lives disrupted by problems for which they were not responsible... Mary Mears, spokesperson director for the EPA's Region II, which includes New Jersey, said via email that the agency's overall approach is "to prioritize residential cleanup," such as Sherwin-Williams already has completed in Gibbsboro, before other aspects of the project. "We will oversee this work [to the Kirkwood properties] to ensure that it ... minimizes disruption and inconvenience to property owners," she said, adding that an evaluation of the bodies of water on the entire Superfund site should be completed next year, with "remedy selection" the following year.

### **PITTSBURGH POST-GAZETTE**

Op-Ed: State Residents Benefit From Ending Sunday Hunting Ban We welcome all Pennsylvanians to join the Sportsmen's Alliance in applauding Sen. Daniel Laughlin who, on Feb. 5, moved forward legislation (SB 147) which would finally remove the ban on Sunday hunting and strengthen trespassing laws in this commonwealth. Mr. Laughlin had the courage to stand up for all Pennsylvanians and say enough is enough. For many Pennsylvania families and single parents, work schedules now include Saturdays. The outdated prohibition on Sunday hunting denies these folks one of only two days available on a weekend to hunt. For lower-income families and individuals who rely on wild game to feed their families, Sundays could be their only opportunity to go afield and try to fill the freezer. The current ban literally takes food off the table and the commonwealth can no longer continue to unjustifiably ban citizens' right to provide for their families because of special interests. According to a recent economic impact study done by one of the nation's top economic firms, John Dunham and Associates in New York, Sunday hunting in Pennsylvania would create an economic boon of nearly \$1 billion in economic activity per year and \$310 million in wages from construction jobs to manufacturing and financial services...

### **PITTSBURGH TRIBUNE REVIEW**

Pittsburgh Summit To Focus On Solar Energy In PA Solar power supporters will come together Sunday in Wilkinsburg for the Pennsylvania Solar Congress, a free public conference on the state of solar energy in the commonwealth. The conference is set for 9:30 a.m. to 4 p.m. at Community Forge, a community center located at the former Johnston Elementary School, 1256 Franklin Ave. Breakfast and lunch will be provided. The Solar Congress will include a series of presentations about solar technology and related policy, as well as ways supporters can get involved with expanding solar power in Pennsylvania. Owners of area homes powered by solar energy will take part in a panel discussion. Topics will include "Solar 101," "Solar plus battery storage in the residential setting" and "Driving Electric," presented by Michael Kirven of the Three Rivers Electric Vehicle Association. An electric vehicle showcase is planned for the center's parking lot. The program will conclude with an open forum to discuss priorities for solar supporters in the coming year. According to organizers, the event is equally applicable to residents who have solar power in their homes and those who are new to the technology. Those planning to attend may RSVP through the nonprofit Solar United Neighbors of Pennsylvania, which is providing several presenters for the event. According to its website, the group advocates for locally produced power, with rooftop solar systems serving as a cornerstone of that effort. It has supported development of solar power co-ops in Allegheny, Cambria, Crawford, Mercer and Indiana counties. While the state Department of Environmental Protection has listed a 2030 goal of having 10 percent of Pennsylvania's electricity sales come from solar power generated in the state, Solar United Neighbors has called for support of a legislative proposal by Rep. Christopher M. Rabb (D-Philadelphia) that would set a more ambitious goal — for all of Pennsylvania's power needs to be met by renewable energy sources by 2050.

### **STATE IMPACT PENNSYLVANIA (NPR)**

Pa. to begin its own process of setting health limit for two PFAS chemicals Pennsylvania will begin the process of setting its own health limits for two toxic PFAS chemicals because it's unclear when the federal government will set national standards, the Department of Environmental Protection said late Thursday. Responding to Thursday's announcement by

the U.S. Environmental Protection Agency that it will begin the process of setting maximum contaminant limits (MCLs) for PFOA and PFOS this year, the DEP committed for the first time to laying the groundwork for a statewide standard for the chemicals. "Pennsylvania will begin the process to set an MCL for PFOS and PFOA," DEP spokesman Neil Shader wrote in an email. "To that end, the Department of Environmental Protection will be moving forward with a Request for Proposals to hire a consulting toxicologist to evaluate existing health studies with the ultimate goal of establishing a protective MCL for the state." The email welcomed what it called the EPA's "first steps" toward setting a federal health limit but said Pennsylvania would move ahead with establishing its own MCL because "the people of Pennsylvania cannot wait on the federal government." Although the administration of Democratic Gov. Tom Wolf set up an "Action Team" of state officials to respond to PFAS contamination last September, it did not say then that setting a MCL would be part of the team's mandate, and has not publicly set that goal until now. Advocates for stricter limits on PFAS chemicals in drinking water say that MCLs are essential to protecting public health, and have questioned why Wolf's team did not name the establishment of those limits as its primary goal. Critics of the EPA plan said it offered no immediate way of cleaning up contaminated water supplies, and represents another delay from an agency that has been widely criticized for failing to set enforceable national health limits for the chemicals...

Report shows how more Pennsylvania drivers can go electric Of the 8 million vehicles registered in Pennsylvania, just 15,000 of them are electric. The Department of Environmental Protection has released a plan several years in the making that outlines how the state can boost that number. Education is a key component. "There's not enough information or not enough being done to let people know what vehicles are available, where to go to get those vehicles to test drive them, where the infrastructure is, how the infrastructure works, and the benefits," said Rick Price, executive director of the nonprofit Pittsburgh Region Clean Cities. Price is part of a coalition of state officials, clean transportation advocates and businesses that helped develop the plan. It coincides with the state's climate change goals, including a recent announcement by Gov. Tom Wolf that he wants Pennsylvania's greenhouse gas emissions to drop 80 percent by 2050. The transportation sector contributes 20 percent of the state's greenhouse gas emissions. Secretary Patrick McDonnell, who heads the DEP, said better outreach is necessary to the public, and to auto dealers, who can inform customers about the state's financial incentives for clean vehicles. McDonnell said one of the biggest barriers that prevents residents from buying electric cars is a lack of confidence that drivers will be able to find a charging station if they run low on power during a road trip. "With any alternative fuel, we have the chicken and egg issue," he said. "Do you buy the car first, or do you make sure the infrastructure is there? We need to make sure we are moving the infrastructure along with the markets." ...

Environmental Groups Plan To Sue U.S. Steel After Clairton Coke (Coal) Fire Clairton - A pair of environmental groups says they plan to sue U.S. Steel following the December fire at Clairton Coke Works that damaged pollution control equipment. PennEnvironment and the Clean Air Council alleged Wednesday that several of the company's Mon Valley facilities are operating in violation of their Clean Air Act permits. Coke oven gas produced at Clairton normally goes through a desulfurization process before it's flared or used as fuel. The groups say some of the gas gets piped to U.S. Steel's nearby Irvin and Edgar Thomson plants. Because the facilities continue to use the gas without sending it through the desulfurization equipment, which was damaged by the fire, the groups contend the facilities are violating their permits. "We will not sit idly by and let a chronic polluter run roughshod over our environmental laws and put the health of our residents at risk," said Ashleigh Deemer, PennEnvironment's western Pennsylvania director. Since the fire, nearby air monitors have detected high levels of sulfur dioxide, which can be a respiratory irritant in high doses. Several spikes occurred in December and early January at the Allegheny County Health Department's Liberty monitor, and another in early February in North Braddock. Lifelong Clairton resident Melanie Meade attended a press conference Wednesday announcing the legal action. She said she was grateful the environmental groups were taking on U.S. Steel. "It is as if no one hears us and no one cares about our health and our wellbeing, and we have been looked over," she said. "That should stop. This lawsuit allows them to know that we have support and we are willing to fight for our health and our wellbeing." The National Environmental Law Center -- which is representing the environmental groups -- sent a letter on Wednesday to U.S. Steel, notifying the company that it intends to sue. That starts the clock under a provision of the Clean Air Act, which requires a 60-day window between giving notice to a company and formally filing a federal lawsuit....

## WHYY PHILADELPHIA

Why Chester County DA Is Investigating The Mariner East Pipeline Over two years of construction, the Mariner East 2

pipeline — which carries natural gas liquids across Pennsylvania to an export terminal in Delaware County — has been plagued with delays and mishaps. The construction has destroyed some private water wells, opened sinkholes, and sparked a criminal investigation by the Chester County District Attorney. On this episode of *The Why*, StateImpact Pennsylvania reporter Susan Phillips takes us along the pipeline's winding path and explains why the DA is taking this unprecedented step.

## **DOYLESTOWN INTELLIGENCER**

Editorial: EPA spins its wheels on PFAS Maybe we're a little bit cynical from five years spent watching the government's response to the presence of toxic PFAS chemicals in our communities' water supplies. But we're worried that acting EPA chief Andrew Wheeler's big Thursday news conference in Philadelphia to discuss the EPA's PFAS action plan had more to do with removing the "acting" from his job title than making substantive progress on an issue that's vitally important to area residents. We hope we're wrong. Late last month, online news site Politico reported that the EPA would not set a drinking water standard for PFOS and PFOA, which were used locally in firefighting foams at military bases and have contaminated water wells used by tens of thousands of residents in Bucks and Montgomery counties. Citing two unnamed sources, the report indicated Wheeler had signed off on a plan that would not regulate the chemicals under the Safe Drinking Water Act. Politico followed that up the next day with a report suggesting key congressional Republicans were concerned about the decision and the matter could imperil Wheeler's confirmation as the next EPA chief, which could soon come to a full Senate vote. When Wheeler addressed the media and others watching the situation Thursday, he announced that any decision on whether to regulate PFOA and PFOS wouldn't happen until the end of the year. To us, that sounds like the EPA could decide at the end of the year to regulate the chemicals. Or it could decide not to. Then Wheeler gave what sounded like a personal assurance that he would regulate the chemicals. "We have — I have every intention of setting a (maximum contaminant level)," Wheeler said. It's a little bit dicey to try to parse that quote. But it looked to us like he stopped himself from speaking for the EPA there and then suggested that he had every intention of regulating them if he gets confirmed. We could be wrong. That might not have been what was going through his head when he said that. But the substance of what he said was not dissimilar to what his predecessor Scott Pruitt said almost a year ago: that the EPA would "take the next step under the Safe Drinking Water Act process to evaluate the need of a Maximum Contaminant Level for PFOA and PFOS." Upper Dublin resident and environmental attorney Mark Cuker nailed our feelings when he said "Why would I have any faith when they said the same thing nine months ago and haven't done anything? There's a show to make it look like they're doing something and then they drag their feet on everything substantive." So this looks to us like a hastily arranged news conference that covered very little new ground in the wake of a potentially damaging Politico report and shortly before a possible Senate vote on Wheeler's confirmation. Again, we hope we're wrong. Because getting the substances listed is crucial for members of our community. Since 2014, PFAS chemicals have been found in the drinking water of more than 70,000 area residents, mostly those living in Warminster, Warrington and Horsham. The chemicals have been linked to a variety of health impacts. The military has spent millions providing filters and clean water in affected communities, but some residents believe the chemicals have made them sick. The establishment of a drinking water standard would help protect residents and provide leverage to those whose water supplies exceed the limit and are seeking compensation. It seems like the Pennsylvania Department of Environmental Protection had some misgivings about the EPA's position as well. On Friday, the day after the EPA press conference, the DEP announced that it would work to set its own drinking water standards for the chemicals. While the DEP has been considering such a move for some time, officials there said the EPA's position prodded the DEP to move forward. Either way, we remain convinced that this needs to be done by someone. We'd prefer it be the EPA. But we applaud the DEP for seeing signs of trouble and promising to act.

Guest Opinion: More questions about PFOA task forces I have been reading the past couple of articles on the issue of PFOA. There are several points that I call into question. First and foremost is the lack of any language where former employees and veterans are excluded from testing and surveying of what their experiences have been or what health conditions they may be experiencing. Who but the folks who were at the source can shed light on rate of exposure and length of exposure? Some of these folks were commuters from other counties and states and are way outside of the scope of any local research. Many have moved on from the residence they once had and may be affected. Many of these folks are a phantom population where they are not even being sampled. Second, the fact that we now have multiple state and federal task forces studying PFOA and making studies redundant and where the responsible parties will not share information. This process will only drag...

## **ERIE TIMES NEWS**

Possible Record Water Levels Forecast For Lake Erie U.S. Army Corps of Engineers forecasts Great Lakes water levels will be higher than normal this spring, summer. Eric Guerrein makes his living on the water as president of Lakeshore Towing Services Inc., a marine contractor business he started in 1988. In recent years, Guerrein has seen the problems that rising Lake Erie water levels cause: significant erosion to lakefront property, damage or hindered operation of marinas' fixed and floating docks, and reduced or limited access to docks. "The biggest problem is erosion," Guerrein said. "They don't have any beach to protect them. When it comes to docks, fixed or floating, they are meant to operate within a certain range of highs and lows. Everything is built for a certain parameter. Get outside of that and you're going to have issues." Lake Erie water levels have rebounded in recent years after experiencing extremely low levels in 2012 and 2013. Lake Erie during the spring and summer could approach its 1986 record-high water levels, according to the U.S. Army Corps of Engineers in Detroit, which recently issued its six-month forecast for the Great Lakes. Other lakes also could approach their records...

## **GETTYSBURG TIMES**

Watershed workshop slated Watershed groups across the South Mountain region of Adams, Cumberland, Franklin, and York counties have made great strides in protecting and improving water quality, keeping riparian areas as green space, and raising awareness about the importance of rivers and streams. When these groups work collaboratively with local municipalities, the impact of these partnerships magnifies the results and ensures longevity of the projects...

## **HARRISBURG PATRIOT NEWS**

PA Coyote Hunters Claim Nearly \$50,000 In Prize Money Coyote hunters were awarded \$48,120 in Pennsylvania's biggest coyote, the Mosquito Creek Sportsmen's Association coyote hunt, which ran Friday, February 15, through Sunday, February 17. Clay Webster, of Erie, took the top prize of \$9,624 for the heaviest coyote weighed in during the organized hunt, a 48.5-pound male. Dayton Ward, of Clearfield, captured \$5,774.40 for the second heaviest coyote, a 46.75-pound male. The third largest coyote was a 46.65-pound male killed by Matthew Shimmel, of Clearfield. His prize was \$3,849.60. Jeremy Bisbee, of Erie, weighed in the largest female, a 43.6-pounder that brought a prize of \$9,624. All the winning coyotes were typical of adult coyotes in Pennsylvania. According to the Pennsylvania Game Commission, adult male coyotes in Pennsylvania weigh 45-55 pounds. They are much larger than their western counterparts because of their genetical mixing with wolves and dogs as they expanded their range to the east. Each of the 225 coyotes weighed in during the hunt garnered \$86 for the successful hunters. The Mosquito Creek hunt was just one of several held this weekend. The others were organized by the Laurel Highlands Coon and Squirrel Hunters Club, Mount Pleasant; Sinnemahoning Sportsman's Association, Sinnemahoning, 14th annual; and St. Marys Sportsmen's Association, St. Marys, 15th annual.

## **LANCASTER NEWSPAPERS**

Injecting Manure Into Farm Fields Could Combat Runoff, Odor Problems For hundreds of years, farmers in Lancaster County and around Pennsylvania have spread manure on top of their fields to boost crop yields. But a four-year study by the federal government and Penn State university advocates for a break in tradition. It says that dairy farmers injecting liquid manure into the ground is the best way to protect the environment, save fertilizer from washing away and spare neighbors from foul odors. Widespread adoption of shallow-disc injection — in which manure is placed in 4-inch-deep etches in the ground — also may be crucial to Pennsylvania correcting lagging commitments to stem nutrients flowing into the Chesapeake Bay, the study says. The research, conducted on summer corn and winter cover crops at Penn State's testing fields in State College, found that placing the manure in slightly disturbed fields vastly reduced runoff and increased the levels of phosphorus taken up by plants to help them grow better...

Commentary: Documentary on lead poisoning will be shown in Lancaster; here's how to join the discussion Lead poisoning. That's something terrible that happened just once in Flint, Michigan, right? Nope. Today, children in Lancaster County are being poisoned by lead at more than three times the rate children in Michigan were ever poisoned. Pennsylvania has nearly 15,000 children who have been exposed to lead at a critical level in recent years — the second greatest number of lead-poisoned children in the country, just behind Illinois, according to the Centers for Disease Control and Prevention. Lancaster is one of the worst counties in the state for lead poisoning, according to

Pennsylvania Health Department standards. Working at the Partnership for Public Health and the Lancaster Lead Coalition last summer revealed the horrors of this silent but devastating situation in this community. We saw children and adults with cognitive delays, speech problems, neurological issues and lifelong health threats, all from sometimes small amounts of lead exposure. And although lead has been discovered in more than 2,000 public water systems across the United States, including recently in some Lancaster County public schools, our problem with lead comes mainly from old paint. More than 80 percent of the housing here was built before 1978. Somewhere, in most houses, are layers of lead paint. If a house has not been constantly cared for, over time any layers of nonlead paint will disintegrate and reveal fragments and dust from the original lead paint that was used....

Snow, ice storm forecast Wednesday in Lancaster County Clear and seasonably cool conditions Tuesday will set the stage for a winter storm on Wednesday, according to Millersville University meteorologist Eric Horst. Tuesday will hover in the mid-30s with sunny to partly cloudy skies, according to AccuWeather. On Wednesday the storm looks like it will begin with accumulating snow during the morning commute and end as an icy mix around midnight, Horst said in a series of tweets Monday. In his self-proclaimed "first call" for the Wednesday storm, Horst said snow is expected to arrive in Lancaster County between 7-8 a.m., mixing with sleet by the early afternoon. By mid-to-late afternoon, he adds, precipitation will turn to freezing rain and likely taper to a drizzle by midnight. The National Weather Service says 3 to 5 inches of snow is possible by Thursday, while Horst predicts Lancaster County will see 2 to 5 inches of snow. Several counties west of Adams County may see between 4 to 8 inches. Horst expects below-freezing temperatures throughout the day, according to one tweet...

### SCRANTON TIMES TRIBUNE

Editorial: No Need For State To Wait For Safe Water

### WJAC-TV JOHNSTOWN

Centre County Receives \$1.7 Million Growing Greener Grant To Restore Streams CENTRE COUNTY, Pa. (WJAC) — You may not have known this, but trash hauling in Centre County provides a multimillion-dollar benefit in cleaning up county streams. It's all through a statewide program dedicated to environmental programs. The "Growing Greener" fund was established back in 1999. It is dedicated to environmentally friendly projects. The money for the fund comes from various sources, including fees tied to trash collection. Recently, Centre County was awarded \$1.7 million in Growing Greener money specifically for stream restoration work. For at least 10 county streams, it's a multiyear project headed by the county's conservation district. The priority is to reduce runoff pollution from the stream areas and to clean up what ends up downstream. The end result of the project is expected to be improved water quality and better fish habitats.

### PENN STATE NEWS

Feb. 25 meeting to explore health, environmental issues of synthetic chemicals UNIVERSITY PARK, Pa. — For decades, a group of synthetic chemicals called per- and polyfluoroalkyl substances (PFAS) has been used in numerous industrial and consumer products, including non-stick cookware, water-repellent materials, stain- and oil-resistant fabrics, firefighting foams and even some cosmetics. Recently, multiple federal agencies have been investigating PFAS and their potential links to health problems. In 2018, Pennsylvania Gov. Tom Wolf announced that a PFAS task force would be created. The Institutes of Energy and the Environment (IEE), in collaboration with the Center for Security Research and Education (CSRE), will be hosting a meeting to discuss PFAS and explore how Penn State can help address this critical issue. In addition, the meeting will be an opportunity to determine who at Penn State is working on PFAS, in order to coordinate for potential future grant calls. The meeting will be held at 10 a.m. on Feb. 25, in 233B HUB-Robeson Center. "Penn State is uniquely poised given the width and depth of researchers all across the Commonwealth working on a range of PFAS topics," said Lara Fowler, IEE's assistant director for outreach and engagement. "People have work already underway. The challenge now is to build collaborations internally and help support critical state and national needs." According to Fowler, Penn State has more than 40 researchers working on some aspect of detection, monitoring, remediation and health impacts of PFAS. "Pennsylvania is one of the most affected states by PFAS in water, yet we are just learning how widespread of an issue this is along with the potential health impacts," Fowler said. The challenge with PFAS is that the chemicals can transfer to water, soil and air during production or use. The chemicals do not breakdown, and they have been found in people, animals and food products throughout the world. "PFAS is a national health

security concern that requires all levels of government, policy makers, legislatures, academia, private industry and advocacy groups to collaborate to mitigate and prevent any possible health effects associated with PFAS in more than 30 communities across the United States,” said Herbert Wolfe, the CSRE’s associate director.

### **WAYNESBORO RECORD-HERALD**

Greencastle, Antrim Township closing in on storm water fees Antrim Township and the Borough of Greencastle are getting closer to establishing storm water management fees to raise hundreds of thousands of dollars a year to meet federal water cleanup requirements. Because of their location, they are among the municipalities in a swath through the center of Franklin County dealing with MS4 (Municipal Separate Storm Sewer System) requirements put in place by the EPA to clean up the Chesapeake Bay. Also affected are the Borough of Chambersburg and Greene, Guilford, Hamilton, Letterkenny and St. Thomas townships. Antrim Township is looking at \$2,790,000 and the Borough of Greencastle is anticipating \$861,00 through the end of the five-year MS4 permit cycle in 2023. Antrim Township: A presentation on proposed fees is planned at the Antrim Township supervisors meeting at 7 p.m. Tuesday, Feb. 26, and the storm water management fee calculation report — including the equivalent residential unit (ERU) established for each property — can be viewed under the storm water management tab on the township website: [www.twp.antrim.pa.us](http://www.twp.antrim.pa.us) “All interested parties should attend to see what the fee encompasses,” said Sylvia House, township zoning and code enforcement officer, who has been at the forefront of MS4 implementation. Among the township costs associated with MS4 is the new position of storm water technician and assistant code enforcement officer and Amber Naugle came on board in that post in November. An ERU is the measurement of how much impervious area there is on a property, where water runs off and does not sink in, such as houses, other buildings, driveways, patios and parking lots. The website includes a property-by-property ERU breakdown compiled by the engineering firm Dewberry. Dewberry collected information on the impervious area then came up with the dollar figure to cover all expenses associated with the program, House said...

### **WILKES-BARRE TIMES LEADER**

Editorial: Meuser showing leadership in stormwater-fee fight We usually don’t use this space to praise a politician. But we are making an exception today. Kudos to freshman Congressman Dan Meuser for injecting himself into the ongoing debate surrounding the controversial stormwater fee that many across the Wyoming Valley feel is being unfairly foisted upon them. In case you missed it, Meuser is calling for a suspension of the fee until the property owners who must pay it get more information. Good for him. Now, we know you cynics out there are going to say the businessman-turned-lawmaker is simply looking for a way to score some political points because it’s clear as day the new fee is about as popular as a bad rash. But even if that may be true, Meuser deserves credit for several reasons. First and foremost, his recent letter to state Department of Environmental Protection Secretary Patrick McDonnell calling for the fee to be suspended puts the congressman squarely at the forefront of this evolving issue. Sure, other politicians have spoken up and expressed concerns, but Meuser has actually taken meaningful action and is being quite forceful in taking up a torch for the people he represents. And there is some risk in doing this for a politician, because if he fails to get the fee suspended or some other remedy to sooth the public outcry, he could easily morph from public advocate to a potential target for public criticism. Here’s some of what Meuser recently had to say about the fee: “This is a serious and urgent matter for the constituents of my district, and I plan to continue to seek answers until these fees are explained and municipalities and the people understand how they can be reduced.” Again, good for him. He also pointed out how the extra bill could prove to be “unbearable for many taxpayers,” pointing to a specific example about one Dallas farm owner who is facing a \$1,400 annual fee just for stormwater runoff. We’re sure most folks would agree that just seems unfair. But it’s also unfair to bash the Wyoming Valley Sanitary Authority, which rolled out the fee and is now seemingly doing what it can to react to the public’s concerns. It’s not our intention to call for suspending the fee or perhaps abolishing it altogether and instead meeting a federal mandate to clean up the Chesapeake Bay via some alternative. However, we have to point out a few facts. The Wyoming Valley is about as middle class as it gets. Not many rich folks around here, just people working hard trying to earn a living, raise their kids and eke out some enjoyment from life. Yeah, a pristine Chesapeake Bay is a noble goal and something we all should eventually work toward... We would encourage more of our local leaders, especially our well-compensated representatives in the bloated state House, to follow their examples and start making more of a stink. It might be the only way we get the answers we deserve.

Rep. Boback Pushing For Government Funding For Stormwater Mandate Another legislator is weighing in on a controversial new stormwater fee. State Rep. Karen Boback, R-Harveys Lake, has issued a release entitled “Unfair, Unfunded Mandates” saying she is cosponsoring legislation with several colleagues urging Congress to provide

additional funding for municipalities to comply with stormwater requirements. Boback also said she is preparing her own proposed bill that would allow designated state funds to be applied to the mandate compliance, her release said. She applauded U.S. Rep. Dan Meuser, R-Dallas, who last week called for the suspension of a new stormwater fee until more clarity is provided to Wyoming Valley area property owners who must pay it. The fee was triggered by pollution reduction requirements in municipalities requiring MS4 (municipal separate storm sewer system) permits because they have both urbanized areas determined by U.S. Census data and separate storm sewer systems. These municipalities must reduce sediment, nitrogen and phosphorus washed into the Susquehanna River, and ultimately the Chesapeake Bay, over the next five years. Thirty-two local municipalities opted to meet mandate requirements by participating in a regional plan managed by the Wyoming Valley Sanitary Authority, which has imposed a fee to cover compliance expenses, although Warrior Run said it no longer has to comply due to a state waiver. Three Back Mountain municipalities opted to obtain compliance through the Dallas Area Municipal Authority, which also is charging a fee...

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## WASHINGTON, D.C.

### WASHINGTON POST

The Energy 202: EPA plan to rid drinking water from toxic chemicals sparks divisions in Washington (Friday) The Environmental Protection Agency is calling it “comprehensive” and “historic.” Congressional Democrats are calling it another sign of “complacency” on the part of Trump administration regulators. The EPA's long-awaited “action plan” on keeping a class of long-lasting chemicals out of Americans' drinking water, unveiled Thursday, is already turning into another bone of contention in Washington. It had the potential to be a rare area of bipartisan agreement: Members of both parties agree that more must be done to control contamination from perfluoroalkyl and polyfluoroalkyl compounds — also known as PFAS. It is widely accepted that these “forever chemicals” — they don't break down naturally — are associated with plethora of health problems, including infertility and certain cancers, and need to be kept out of drinking water. But Democrats and activists say the government is not moving quickly enough... “I want to be crystal clear about this — our intent is to establish a [maximum contaminant level] for PFOA and PFOS,” David Ross, assistant administrator in the EPA's water office, told The Post's Brady Dennis and other reporters. But critics, including Democrats in Congress and environmental activists in contaminated communities, say that scientists have ample evidence to set those limits because manufacturers have been using them for decades to make a long list of products, including perhaps most notably Teflon-coated cookware. “It is unacceptable for the administration to drag its heels when it comes to the health and safety of our drinking water,” Sen. Michael Bennet (D-Colo.) said in a statement. But the agency isn't setting that limit just yet because, according to Ross, it wants to make sure any new rules will be defensible in court. Many Democrats see that as a delay tactic. Their reaction to the “action plan” also belies a level of distrust that has developed between that party and the Trump administration for environmental regulation as the EPA and other departments move to rewrite Obama-era rules in often more industry-friendly ways...

In Annapolis, the tide has come in or out 540,000 times, but now it's worrisome (Sunday) When a city has been sitting by the Chesapeake Bay for 370 years, the tide has rolled in or out again more than 540,000 times, but only lately has it been the cause of much concern. Yes, there have been vestiges of hurricanes that have left Annapolis awash, but they arrive with relative rarity in a town that still likes to think of itself as quaint and historic. Although the shops and taverns that line the City Dock and Main Street — some with historic pedigree, others with less — change hands frequently, it's the tides that have become worrisome. “When the downtown gets flooded, which has been certainly more than ever this year, everyone always complains about parking down here,” said Megan Moore, who runs the Easy Street Gallery, which markets objets d'art on Francis Street and has just enough elevation to escape the water. “People can't get over the Eastport Bridge, and if they get downtown, they can't park. I wouldn't have a store down there if you paid me.” Fifty years ago, the downtown area was underwater for fewer than 10 days a year. Now, it's flooded 40 times a year. The city has begun an ambitious plan to combat the flooding, and the adjacent U.S. Naval Academy announced in December that it would raise its defenses against the tidal battering. The sea is rising because ice caps are melting as the world grows warmer...

Georgetown wants to raze 210 acres of trees to meet green-energy goals. Environmentalists are crying foul

Environmentalists are in a position they never imagined: Fighting a solar panel project that would help Georgetown University dramatically reduce its greenhouse gas emissions. They say the project, which involves razing about 210 acres of trees in rural Charles County, Md., could endanger the area's birds and lead to runoff that would put tributaries to the Chesapeake Bay at risk. Leaders at the solar company hired by Georgetown counter that they are prioritizing the safety of the bay but that "trade-offs are necessary" in renewable energy projects. Reductions in greenhouse emissions from the solar panels, they say, would be equivalent to planting hundreds of thousands of trees. Fights like this one are increasingly common as public and private entities turn to solar and wind energy, leading to debates about where projects should be located. "Green projects do not destroy green resources," said Linda Redding, an accountant from La Plata who is part of a determined group of environmentalists from Charles and Prince George's counties opposing the project. "If you destroy what is saving our climate in the name of fighting climate change, the effort is hollow." The activists accuse Georgetown and Origis Energy of "green-washing" and are hoping to convince the Maryland Department of the Environment to deny a needed permit. A public hearing is scheduled for Feb. 27.

Wednesday's winter storm: Here's how much snow and ice to expect and when One of the season's biggest winter storms to date seems likely to paste the region with accumulating snow Wednesday and then tack on a glaze of ice. The heaviest snowfall and most significant icing is likely in colder locations north and west of the city but, except for our milder southeast areas, much of the region faces a disruptive winter storm. The National Weather Service has issued a winter storm watch because of the potential for significant snow and ice, which is expected to lead to "very difficult" travel conditions Wednesday...

The Energy 202 Blog: Environmentalists join in suing Trump over emergency wall declaration President Trump's declaration of a national emergency to circumvent Congress and begin building an extended barrier along the U.S.-Mexico border has energized Democrats around the country. House Democrats have promised to bring Trump administration officials before Congress to explain what they see as a rogue decision. Already a coalition of 16 states led by mostly Democratic governors have challenged Trump in court. Count animal lovers among the opponents, too. Three environmental groups were among the organizations to sue the Trump administration almost immediately after the border wall declaration on Friday. Like other legal challenges in response to Trump's announcement, the lawsuit from the Center for Biological Diversity, Defenders of Wildlife and Animal Legal Defense Fund challenges his maneuver around Congress...

Poll: Marylanders strongly favor \$15 wage, Styrofoam ban, assisted suicide Strong majorities of Marylanders favor some of the most liberal proposals pending in the General Assembly, according to a Goucher College poll released Monday that also showed a majority of residents think race relations in the state have worsened in recent years. About two-thirds of respondents said they support raising the minimum wage to \$15 an hour and increasing the tobacco purchasing age to 21; more than 6 in 10 are in favor of banning Styrofoam products and allowing physicians to prescribe lethal drugs to terminally ill patients who want to end their lives. A strong majority — 57 percent — back legalizing marijuana for recreational use. The results show the continued liberal leanings of the population in Maryland, where Democratic registered voters outnumber Republicans more than 2 to 1 and the November midterms saw a wave of liberal victories even as popular Republican Gov. Larry Hogan easily won a second term...

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## DELAWARE

### WILMINGTON NEWS JOURNAL

Delaware's Chemours announces a billion-dollar profit, one day after EPA takes action Wilmington's Chemours and its investors appear largely unfazed by a federal plan announced Thursday to stringently regulate the environmental releases of chemicals that already have cost the company hundreds of millions of dollars in lawsuits. Chemours didn't mention the plan Friday in announcing its year-end financials. The company said its future is promising, buttressed by growing sales of refrigerants and Teflon-related products, as well as higher prices for industrial paints and sealants. The Delaware chemical company reported profits of almost \$1 billion in 2018, its best performance since it split from DuPont

in 2015. The good times are expected to continue through 2019, the company said. Its stock price closed at \$37.73 on Friday, down 2.5 percent for the day, but still up 30 percent since the new year. Chemours employs about 1,000 people in Delaware at its headquarters and labs. It expects to move into \$100 million new labs at the University of Delaware STAR campus in 2020. The Environmental Protection Agency announced Thursday that it plans to place maximum allowable limits on the presence of perfluorooctanoic acid — which DuPont used in Teflon until a decade ago — in soil and water. The EPA also plans to more rigorously study the health effects of GenX, which replaced PFOA. Following its 2015 split from DuPont, Chemours stock languished as a cloud of 3,550 PFOA lawsuits hung over the company. Litigants in those lawsuits alleged that they suffered harmful health consequences from the release of the chemical into the environment around a West Virginia plant. In 2017, Chemours and its former parent, DuPont, settled the West Virginia lawsuits for \$670 million. Investors viewed the deal positively for the company as it removed the uncertainty from years of potential litigation. Long-term exposure to PFOA can cause cancer and developmental problems in fetuses or nursing infants and can impact the liver, immune system, thyroid and cholesterol levels, according to the EPA. The health effects of GenX are less clear, but studies on animals have shown links to liver, pancreatic, testicular and uterine cancers, according to the North Carolina Department of Environmental Quality...

Delaware among 16 states suing Trump over emergency wall declaration Delaware joined a 16-state coalition in a federal lawsuit filed Monday to block President Donald Trump's declaration of national emergency to spend military funding in order to build a border wall, calling it an "unconstitutional and unlawful scheme." ...

Snow and freezing rain in the forecast for Delaware Wednesday "The chances for snow really go up Wednesday morning, and it could impact the Wednesday morning rush," said meteorologist Chad Shafer...

Letter: Why we need the Green New Deal The Intergovernmental Panel on Climate Change released a report that states humankind has approximately twelve years to curb carbon emissions before the catastrophic effects of climate change become irreversible. In the United States, neither political party has a plan to address climate change. Though several Democrats claim to support policies that would reduce climate change, none of those policies addressed the issue to the scale that is necessary. That was until The Green New Deal and Rep. Alexandria Ocasio-Cortez, D-NY and Sen. Ed Markey, D-MA. The Green New Deal is a proposed economic stimulus program from Ocasio-Cortez that seeks to address both economic inequality and climate change scaled to the magnitude described by the Panel on Climate Change. This piece of legislation would call for a 100 percent conversion to clean energy, which would in turn position "green" energy as a major American export...

## **DELAWARE CAPE GAZETTE**

Stakeholders must register by Feb. 22 for Farm Bill input Feb. 26 U.S. Department of Agriculture Under Secretary for Farm Production and Conservation Bill Northey announced that USDA will host a listening session for initial input on the 2018 Farm Bill. USDA is seeking public input on changes to existing programs implemented by the Farm Service Agency, Natural Resources Conservation Service and the Risk Management Agency. Each agency will take into account stakeholder input when making discretionary decisions on program implementation. "The 2018 Farm Bill is intended to provide support, certainty and stability to our nation's farmers, ranchers and land stewards by enhancing farm support programs, improving crop insurance, maintaining disaster programs, and promoting and supporting voluntary conservation," said Northey. "We are seeking input from stakeholders on how USDA can streamline and improve program delivery while also enhancing customer service." The listening session will be held at 9 a.m., Tuesday, Feb. 26, in the Jefferson Auditorium in the South Building at 14th Street and Independence Ave. S.W. in Washington, D.C...

Sussex buffers group kicks off meetings Sussex County's Wetlands and Buffers Working Group got its feet wet at its first meeting Feb. 13. The initial stakeholders' meeting offered an introduction to the goals of the group, which will meet over the six months to accomplish goals in two phases. In Phase 1, the group will analyze county code definitions for wetlands, buffers and other waterways and recommend updates to code that balance environmental protection with property rights. In Phase 2, the group will review regulations and determine if updates are needed to improve future land development. The working group could recommend possible ordinances or amendments to Sussex County Council. Any changes would require public hearings before the planning and zoning commission and county council. Recommendations could include changes to buffer widths and possible restrictions within a buffer. "This is a topic in the

past we've tried to talk about," said Sussex County Administrator Todd Lawson. "We haven't had much success, but this is a different format including stakeholders with different interests." Councilman I.G. Burton, R-Lewes, who has pushed for updated buffer regulations, told the group that county council won't be involved. "We are looking forward to your input to us," he said. "Everyone we asked to serve said yes, so that's a good sign we can have a good conversation." "The best minds in Sussex County are in this room. I have no doubt we can figure this out," said group member and Sussex County Planning and Zoning Commission Chairman Bob Wheatley. "This is the start of the mission to make improvements to county code," Lawson said...

Gag order upheld in Mountaire case A Delaware Superior Court judge has upheld a partial gag order in a class-action lawsuit brought against Mountaire Farms. Judge Richard F. Stokes, in an effort to not prejudice a jury at trial, agreed with a prior ruling restricting public statements outside the courtroom. The case against Mountaire was filed in June by Gary and Anne-Marie Cuppels, after the Millsboro couple were hospitalized with gastrointestinal issues. The Cuppels believed that their health problems were related to drinking water contaminated by Mountaire's Millsboro chicken plant and hired attorney Chase Brockstedt, who began investigating their case. Both sides then took their case public, first Mountaire with newspaper ads and a town hall event, followed by Brockstedt and co-counsel Phil Federico holding a press conference with their experts. A hearing was convened on Oct. 26 in which Brockstedt asked for a gag order to prevent further media statements, ads or public relations. Mountaire's attorney, Michael Arrington, argued against a gag order, saying it would be impossible to enforce - the class in the suit consists of 750 people - and that the plaintiffs had already held a press conference where their expert witnesses offered their opinions. The hearing was presided over by Commissioner Alicia Howard, commissioners being designated judicial officers who can hear pretrial motions. Howard and Stokes agreed that the case should not be tried through the media and that a back-and-forth of public statements would negatively influence the jury pool...

Residents ready to fight Fishers Cove subdivision in Lewes More than 20 Lewes residents have banded together to hire a Wilmington-based land-use lawyer to fight the proposed Fishers Cove subdivision. Developer Burke and Rutecki LLC has submitted an application to develop 18 single-family lots on a 12.06-acre lot off Rodney Avenue. The property borders the Great Marsh, with a piece of the marsh cutting into the parcel. The plan includes a historic property on Pilottown Road that will remain. A pedestrian access through the historic property will connect Fishers Cove to land along the Lewes-Rehoboth Canal that will be used as community open space. Tim Willard, attorney for Burke and Rutecki, kept his comments to a minimum at the city's planning commission meeting Feb. 7, saying his clients plan to make a more in-depth presentation at a future public hearing. "The Feb. 7 agenda for Fishers Cove was not a scheduled public hearing," Willard said. "The applicant fully intends to address the city engineer's report, the city staff comments and any questions or comments by commissioners at the public hearing."...

### **DELAWARE PUBLIC MEDIA (NPR)**

Delaware River Basin gets 6 million in FY 19 for conservation projects The Coalition for the Delaware River Watershed is cheering an increase in federal funding for this fiscal year. The appropriation bill President Donald Trump says he'll sign keeping the government open through Sept. 30th includes \$6 million for the Delaware River Basin Restoration Program. Sandra Meola is director of the Coalition for the Delaware River Watershed. She says the River Basin is menaced by threats like overdevelopment, stormwater runoff and stream erosion. She said it's a million dollars more than FY 2018. "Last year was first-time historic funding for the watershed ever," she said. "And this time it's, you know, it's more money. And it's exciting to see this program grow and grow." She said the funding is important to address the environmental changes. The basin provides a home to more than 400 types of birds and over 90 species of fish. "We have agricultural runoff in the more agricultural areas like Delaware and upper New York State," she said. In general, I think it's come a long way, but that's not to say there's still a lot of work to be done." Meola said the money will go toward projects like green infrastructure, research and habitat restoration. She expects U.S. Fish and Wildlife Service will announce the projects next month. The money was caught up in the fight over whether Congress would include funding to build a wall on the U.S.'s southern border - and the partial government shutdown caused by that fight.

Is your living shoreline working? Framework offers new tool for monitoring coastal defense As rising seas raise more urgent questions about how to defend Delaware's low-lying shore, environmentalists and state authorities are renewing their advocacy for "living shorelines" as a way of cushioning the impact of higher waters on coastal property and the natural environment. The technique uses barriers made of natural materials like coconut logs and oyster shells to reduce

the impact of waves on coastal marshes, helping them to build up and defend upland areas from encroaching seas. Responding to the growing threat from higher ocean levels and the bigger storms that are forecast to come with climate change, state officials are offering landowners a new tool describing how living shorelines work, how they can be adapted to specific locations, and how they can be a better solution than so-called hard defenses like bulkheads. Called the Living Shoreline Monitoring Framework, the program identifies whether existing living shorelines are achieving goals such as shoreline stabilization, improved water quality and habitat creation, and recommends ways of managing a site better if those goals are not being met. The framework, offered by the Department of Natural Resources and Environmental Control, and several state and federal partners, allows for different levels of technology, expertise and financial resources for existing living shorelines, and encourages the creation of new installations. "Whether you are putting in a living shoreline for water quality or habitat components or restoration for oysters, how do you track whether it has done what you wanted it to do?", said Alison Rogerson, an environmental scientist at DNREC's Division of Watershed Stewardship. "Maybe you got funding to improve water quality, and the funders say: 'prove it to me.'..."

Forest Service seeks Arbor Day Poster Contest entries Arbor Day 2019 is fast approaching, and with it the Delaware Forest Service's annual Arbor Day Poster Contest. The goal of the contest is to teach students about forests and forests resources. Ashley Melvin is a trainer and educator at the Delaware Forest Service. She says it's specifically aimed at younger students. "The program is open to kindergarten through 5th grade classrooms, private and public, statewide. They are prompted to design a poster. This year's theme is "Trees Are Terrific in Cities and Towns," Melvin said. Melvin says that theme is meant to shed light on just how invaluable trees are in an urban environment. "This program is open to all public and private schools. But we also accept entries from after-school programs and youth programs. We have a registration link that is available. And all groups that participate in this contest will receive free seedlings by registering for the program," said Melvin. Arbor Day is the last Friday in April, April 26th this year. Melvin says students wanting to get involved in the contest must register by March 15th. The deadline to submit artwork is March 29th. Teachers can access the rule [here](#). And to register and request seedlings, click [here](#). Winning students receive prizes, including a tree-themed book, a poster reproduction on fine art canvas and a free planting ceremony at their school.

Sportsmen Caucus works to save deer meat program for the hungry State lawmakers in the Sportsmen Caucus are trying to save a program that feeds low-income families.

### MIDDLETOWN TRANSCRIPT

Coons secures funding for agriculture, rural development, environmental priorities Sen. Chris Coons secured funding for agriculture, rural development and environmental priorities, including support for the poultry industry, conservation and rural housing programs in the remaining appropriations bills for fiscal 2019, which passed the Senate and House yesterday with strong, bipartisan support. President Donald Trump signed the legislation into law Feb. 15. "Delaware plays a critical role in feeding America's families, and finding ways to support our hardworking farmers and poultry growers is one of my top priorities," said Coons. "I'm pleased that this final appropriations bill includes funding for critical programs that will protect Delaware's poultry growers from disease and catastrophic loss and help farmers continue their conservation efforts. This bill also provides increased support for rural housing to make sure low-income families can secure an affordable home. All of these investments mean jobs, economic opportunity and a cleaner environment for Delaware and the nation. I'm thrilled Congress has worked in a bipartisan way to support these and many related programs."...

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## WEST VIRGINIA

### CHARLESTON GAZETTE-MAIL

SCHS student recognized for recycling efforts South Charleston High School sophomore Bailey White was recognized recently for his commitment to recycling, in school and at home. The Recycling Coalition of West

Virginia has honored White as a “Recycling Champion.” In collaboration with West Virginia’s 50 solid waste authorities, the RCWV honors Recycling Champions from around the state annually. Coalition members look for West Virginians who reach beyond their normal responsibilities to contribute time and service to support the recycling industry. White was also recognized by City of South Charleston and other officials, who presented him with an award for his recycling endeavors at a Feb. 15 ceremony at South Charleston High School. White’s recycling efforts started at Dunbar Middle School, where he helped form the school’s Green Team. Recyclables were collected by the Green Team and taken to the Dunbar Public Works Department to be processed. White became known throughout the school and community as the “Recycle Man,” complete with a super-hero persona...

### **WEST VIRGINIA PUBLIC BROADCASTING**

Appalachians Share Solutions for Coal Transition with Congress Democrats in the U.S. House are continuing their focus on climate change, this week shifting from its environmental to its economic impact and looking to Appalachia for next steps to aid communities with fossil fuel-based economies. On Thursday, members of the Energy and Mineral Resources Subcommittee heard testimony on how struggling coal communities are working to transition to more efficient, greener industries that can still provide the region with an economic base. "Investing in the economic revitalization of the communities that have been extraction based... must be front and center in the shaping of policies addressing climate change," Brandon Dennison told the subcommittee. Dennison is the CEO of West Virginia-based Coalfield Development Corporation, an organization that retrains workers who have lost jobs in coal’s decline and incubates new business initiatives in Appalachia, but Dennison said retraining programs like his that are already in place are not enough because businesses who could employ them are not thriving yet in the region.

### **WEST VIRGINIA METRO NEWS**

Majority of W. Va. under flood or winter storm watches and warnings CHARLESTON, W. Va. — Dozens of counties in West Virginia are under watches and warnings by the National Weather Service as a system will be moving across the state Tuesday bringing significant snow and rain. Most of the watches and warnings go into effect Tuesday evening and last through Wednesday evening. Counties in the Eastern Panhandle and down through the mountainous region of the state and as far south as Wyoming and Raleigh counties will see snow as western counties in the state brace for rain. Hampshire, Morgan, Berkeley, Jefferson, Hardy, Grant, Mineral, and Pendleton counties are under a Winter Storm Watch by the NWS Washington/Baltimore from Tuesday afternoon through Wednesday afternoon. Five or more inches of snow is expected along with a quarter inch of ice. Parts of Nicholas, Webster, Pocahontas, and Randolph counties are under a Winter Storm Watch from the NWS Charleston from Tuesday afternoon through Wednesday afternoon and parts are under a Winter Storm Warning where 3 to 5 inches of snow is expected with a tenth of an inch of ice possible. Luke McKenzie, the Mineral County Director of Emergency Services said the ice is the tricky part. “What we will be doing is putting out some warning probably early tomorrow (Tuesday) to encourage people to stay off the roads and to check on their neighbors,” he said. “Those types of things.”..

### **WHEELING INTELLIGENCER**

Editorial: Proving the EPA Can Be Relied Upon With some local residents expressing concern about the ethane cracker plant that may be built in Belmont County, it is important that government regulatory agencies ensure there is reason to have faith they will enforce environmental rules. A U.S. Environmental Protection Agency announcement last week may help in that regard. EPA officials said they are investigating whether a chemical manufacturer, the Chemours Co., broke laws in two West Virginia communities and one in North Carolina. The Mountain State concern involves alleged contamination of water wells around Chemours factories near Parkersburg and Fayetteville. In North Carolina, the firm allegedly failed to notify the EPA before beginning to manufacture new compounds. If Chemours is guilty of infractions, the firm should be penalized, of course. Such action would give area residents more confidence the government will act aggressively to protect both the environment and public health.

### **ASSOCIATED PRESS (W. Va.)**

EPA Issues Violations to Chemical Company in N.C., W.Va. (Sunday) The U.S. Environmental Protection Agency says a chemical company may have broken federal law by failing to notify the agency before it started manufacturing and repurposing new industrial compounds. The EPA said in a violation notice letter February 13th that The Chemours Co. also failed to provide information showing when the company learned the chemical GenX contaminated water wells and properties around its factories near Fayetteville, North Carolina and Parkersburg, West Virginia. The agency says the violations were found after the two plants were inspected in 2017. Chemours spokeswoman Lisa Randall says the company has since made changes to address some of the issues. She wouldn't say why Chemours didn't provide EPA with the required notices. The EPA says its Chemours investigation may find other violations. Fines could follow.

Arch Coal Plans to Open W.Va. Mine, Add Nearly 600 Jobs (Friday) Arch Coal Inc. says it plans to open a longwall mine in northcentral West Virginia and employ nearly 600 employees when it's fully operational. The St. Louis-based coal producer announced the plans in a news release Thursday. The Leer South mine in Barbour County is expected to produce an estimated 3 million tons of coking coal annually. The statement says Arch Coal expects to invest up to \$390 million on the mine, which is scheduled to start production in late 2021. Arch Coal CEO John W. Eaves says the project is "transformational" for the company and its shareholders. The statement says Arch will transition its Mountain Laurel operation in southern West Virginia from longwall to room-and-pillar mining next year. The mine's longwall equipment will then be moved to Leer South.

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## MARYLAND

### BALTIMORE SUN

Where will the trash go? Baltimore and surrounding counties consider alternatives if incinerator closes (Friday) After the Baltimore City Council passed clean air legislation Monday that could force a large trash incinerator to shut down, officials in the city and surrounding counties began considering how to dispose of their garbage if they are no longer able to burn it. The Wheelabrator Baltimore waste-to-energy plant near Russell Street and Interstate 95 processes more than 700,000 tons of trash every year — about half of that trash comes from Baltimore households and nearly 40 percent from Baltimore County. The rest comes from Howard and Anne Arundel counties, other Maryland jurisdictions and out of state. While supporters of the city's Clean Air Act say the ultimate goal is to reduce waste, the Wheelabrator incinerator's closure would create new and unpredictable pressures on area landfills. Mayor Catherine Pugh said the city is exploring expanding its Quarantine Road landfill, but added that officials also would have to get creative to process and reduce the waste stream. "We're going to have to move our communities into composting and other methods of taking care of our own waste," Pugh said. "There are other technologies that are being prepared. Some of them won't be ready in time for this, but we will have to figure it out." The Baltimore City Council legislation would impose stringent air pollution limits on the Wheelabrator plant and Curtis Bay Energy, a large medical waste incinerator, starting in 2022. Wheelabrator officials have said it would be impossible to retrofit their facility to meet the air standards, and that only a brand new waste-to-energy plant could comply with the ordinance, which Pugh said she intends to sign...

Maryland weather: 'Sizable' storm to hit region this week

### SALISBURY DAILY TIMES

Northampton County zoning rules lack clarity and compliance: Report A new report says Northampton's land-use ordinances need to be more user-friendly. Among key findings is that the county's zoning and subdivision ordinances need to be streamlined. Additionally, the report said ordinances do not meet all requirements of the Chesapeake Bay Preservation Act, and the comprehensive plan — adopted in 2006 and updated in 2009 — also does not include several required elements of the act, such as maps of the extent of Chesapeake Bay Preservation areas and of the location of shoreline and stream bank erosion problems. The Board of Supervisors received the 65-page report, which cost the

county \$7,500, at its Jan. 28 work session. The Berkley Group, a Virginia-based local government consulting firm, was hired by the county to do an independent review of its land-use ordinances — including the zoning ordinance and the subdivision ordinance, as well as parts of the comprehensive plan. "It's quite detailed — a lot of good recommendations, a lot of things for the board to think about," said Charles Kolakowski, Northampton County Administrator, at the board's Feb. 12 meeting. Kolakowski said he and planning staff have been reviewing the report and will be coming up with recommendations for potential action by the board based on the document...

### **FREDERICK NEWS-POST**

Letter: Monocacy River should be viewed as property right of everyone The Monocacy River Plan has caused a lot of controversy. The controversy seems to be about property rights versus river issues. The river issues are about clean water — period. The reason we have a Monocacy River Board, is to ensure the health of the Monocacy River. We all remember, or we should remember, that clean water regulations were instituted in 1972. They were created because of wide scale water pollution in the country, much of which still exist. Clean-water laws were only one part of the laws that were created due to pollution of lands, air and water. Without regulations, industry, government and private individuals would still be polluting, and many still are. Just in Frederick County, we have eight superfund sites on the federal list. One is active, three are active but not on the national priorities list and four are achieved. There may be others which are currently unknown. Property ownership does not always mean you can do anything you want with that property. This includes industry, agriculture, municipal waste centers and even private homeowners. Property rights exist when the use of property does not infringe upon neighbors, in endless and negative fashions. Pollution and contamination of water, air and land is generally not acceptable. If a homeowner in Emmitsburg, the town wastes treatment center in Thurmont or a business in Walkersville, dumps pollutants in a drainage system that ends up in the Monocacy — we all lose. Private industry, farmers, residential homes, developments and government entities need to be held responsible for any contributions to our pollution problems. From my perspective, the controversy of property rights versus river issues — is a false narrative. The health of the Monocacy River should be viewed as a property right of everyone that lives in Frederick County.

### **SOUTHERN MARYLAND NEWS**

Rockfish Population in Trouble, New Study Finds; Catch Limits Likely Striped bass or rockfish, one of the most prized species in the Chesapeake Bay and along the Atlantic Coast, are being overfished according to a new assessment of the stock's health — a finding that will likely trigger catch reductions for a species long touted as a fisheries management success. The bleak preliminary findings of the assessment were presented to the Atlantic States Marine Fisheries Commission, a panel of fisheries managers last week. The full analysis was not available. Its completion was delayed by the partial government shutdown, which sidelined biologists in the National Marine Fisheries Service who were working to complete the report. But, noted Mike Armstrong of the Massachusetts Division of Marine Fisheries, who also chairs the ASMFC's Striped Bass Management Board, the final results "will likely be the same when [the report] comes out."...

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## **VIRGINIA**

### **RICHMOND TIMES-DISPATCH**

Commentary: Coal ash cleanup bill an historic leap forward for Virginia In a normal year, the Virginia General Assembly has at most 60 days to consider which of the thousands of bills best protect and advance the interests of the citizens of the commonwealth. Richmond has been anything but normal this year. Despite a scandal-plagued political environment, both houses of the General Assembly remarkably passed a landmark piece of legislation to address one of the commonwealth's largest and most complex environmental threats: coal ash. Rather than throw this critical issue into the political fire, the General Assembly put its head down and reached bipartisan consensus to clean up this problem once and for all. Coal ash, the byproduct of burning coal, contains a suite of toxic heavy metals and carcinogens, like arsenic and radium. Up until now, Dominion stored more than 28 million tons of coal ash in primitive pits on the banks of iconic rivers — the James, Potomac, and Elizabeth — which flow right into the Chesapeake Bay. The coal ash sits in constant contact with the groundwater and, as a result, every single one of these sites has documented, serious

contamination. Take a kayak out in the popular Dutch Gap Conservation Area, and try to ignore the evidence that the 15 million tons of ash at the Chesterfield Power Station sitting in plain view just beyond a chain link fence is leaking pollutants into the water beneath you. Sail up the Elizabeth River in Chesapeake and consider how a peninsula of coal ash — much of it sitting below sea level — will fare during the next Hurricane Florence. Visit a friend whose property abuts the Possum Point site in Prince William County, and think about whether you would feel safe if millions of tons of coal ash was being stored in ponds without modern liners so close to your backyard. Look up at the 6 million tons of ash at the Bremo site as you float down the James River in Fluvanna County, and imagine what would happen if that earthen dam gave way....

### **VIRGINIA MERCURY**

Commentary: Growth in data centers overpowers Virginia's renewable energy gains Almost 70 percent of the world's internet traffic passes through data centers in Loudoun County on a daily basis. More than 100 massive data centers, over 10 million square feet of building space, dot the Northern Virginia landscape around Dulles Airport in what is known as "Data Center Alley." And the industry is growing fast. Local governments welcome the contribution to their tax revenue, but these data centers come with a dark downside: they are energy hogs, and the fossil fuel energy they consume is driving climate change. A new report from Greenpeace called *Clicking Clean Virginia: The Dirty Energy Powering Data Center Alley* describes the magnitude of the problem: "Not including government data centers, we estimate the potential electricity demand of both existing data centers and those under development in Virginia to be approaching 4.5 gigawatts, or roughly the same power output as nine large (500-megawatt) coal power plants."...

### **CAPITAL NEWS SERVICE**

Virginia among states suing Trump over border 'emergency' Virginia has joined a coalition of 15 other states to challenge President Donald Trump's declaration of a national emergency and to block the diversion of congressional funding to build a wall along the U.S. border with Mexico, according to a lawsuit filed Monday. "Concocting a fake emergency to build a needless wall goes against the Constitution and the values America was built on," Virginia Attorney General Mark Herring said in a statement. "President Trump's ill-advised plan could divert critical funds from actual national security priorities, including military construction projects at bases and facilities throughout Virginia. We must stand up to this administration when it violates the law and attacks our values."...

### **BLOOMBERG ENVIRONMENT**

Dominion Coal Ash Cleanup Bill Heads to Virginia Governor Virginia's House of Delegates passed Dominion's coal-ash cleanup bill Feb. 15, prepping the measure to be sent to Gov. Ralph Northam (D), who supports cleaning up the residuals from coal-fired power plants. The legislation passed the state Senate on Feb. 5 and the measure targets about 27 million cubic yards of coal ash which is stored in ponds around power plants at four sites. Dominion can spend as much as \$225 million a year on ash removal and the company's costs can be recovered from ratepayers. Ponds must be excavated and coal ash taken to landfills or recycled. The ash can contain toxic metals like arsenic, chromium, mercury and lead. Dominion has 15 years to close its coal ash ponds under the legislation. Dominion estimated its excavation and recycling costs to be about \$3 billion in a Nov. report. "This is a huge leap forward," says Nate Benforado, attorney with Southern Environmental Law Center in Charlottesville, Va. "Dominion deserves some credit for finally acknowledging there is a better way forward." The agreement "accomplishes the safe removal or recycling of coal ash, minimizes truck traffic, and prudently manages the customer costs for the closing of ash ponds at our power stations," Dominion spokesman Jeremy Slayton said in email.

### **ROANOKE TIMES**

Mountain Valley still on track to complete pipeline this year, company officials say Despite a series of legal and regulatory road bumps, the Mountain Valley Pipeline remains on track to be completed by the end of the year, executives of the joint venture's lead company said Thursday. "I think where we are right now is where we are, until we have different information," Thomas Karam, CEO of EQM Midstream Partners, said during a teleconference to discuss 2018 year-end results with financial analysts. EQM of Pittsburgh is one of five companies that make up Mountain Valley Pipeline LLC. It will foot \$2.2 billion of the project's \$4.6 billion cost and will operate the 303-mile pipeline, which will transport natural gas at high pressure from northern West Virginia to connect with an existing pipeline in Pennsylvania County. Since work began last February with tree-cutting, Mountain Valley has run afoul of environmental regulations

meant to control erosion and sedimentation at construction sites. Two sets of key permits — one that will allow the pipeline to pass through the Jefferson National Forest and another for it to burrow under more than 1,000 streams and wetlands — were thrown out last year by a federal appeals court...

## **VIRGINIA PUBLIC RADIO**

Confronting Climate Change Through Sounds When they hear statistics about climate change or see graphs and charts, many people shut down — unwilling to think about what could be the most serious issue of our times. To draw them back into a conversation about our warming planet, two faculty members at UVA are using something called eco-acoustics — sounds that illustrate the relationship between humans and their environment. Willis Jenkins teaches religious studies, but lately he's been called to the coast, to record the sounds of sea level rise and oyster reefs. "When you hear the reef recording you're going to hear a snapping or cracking sound, and that is actually pistol shrimp, and then you can also hear kind of micro-currents of water moving in and around the reef, and there may be a few low fish calls," he says. People who hear that recording are drawn into dialogue. "The sound element is so captivating that people ask lots of questions about it," he explains. "Then they begin to ask questions about organisms and data change over decades, in conversations that typically go longer than if I were to just tell you about the health of these wetlands."...

Rising Seas & Sinking Land: How Coastal Virginia is Combating Climate Change For the next few months Pamela D'Angelo is traveling around the Chesapeake Bay looking at how climate change is impacting neighborhoods and potential solutions being considered as lands continue to sink and flooding increases...

Virginia Institute of Marine Science gives Tidewater Neighborhoods a Flood-predicting Tool For neighborhoods along the Atlantic coast and the Chesapeake Bay, recurrent flooding that comes with climate change makes it hard to navigate, especially during seasonal high tides and more frequent extreme wind events like Nor'easters. Now, the Virginia Institute of Marine Science has a tool to help people throughout the region prepare for a flood. The new tool, called the Tidewatch MapViewer, is part of the ADAPTVA website dedicated to climate adaptation. The tool allows users to access a 36-hour coastal flooding forecast map to determine their risk. Molly Mitchell is a marine scientist at VIMS who specializes in sea-level rise and adaptation. "In certain parts of Hampton Roads when we get these King Tides, so sunny day flooding, you don't even think it's going to be a problem," Mitchell explains. "You park your car somewhere, you come back it's in water."...

A Grass Roots Effort to Restore the American Chestnut In the face of climate change, people may feel frustrated — uncertain what they can do to make a difference. Scientists say planting trees is one important way to help, and there's a movement underway in this part of the world to restore the American Chestnut. More than a hundred years ago, one quarter of the trees in some Virginia forests were American chestnuts. They could grow to a hundred feet according to Sarah Fitzsimmons at the American Chestnut Foundation. "They could be an average of five or six feet in diameter at breast height, and there are documented cases of trees reaching 15-feet in diameter," she says. That's why they were called the Redwoods of the East and valued for their rot-resistant wood. "They called it a cradle to grave tree," Fitzsimmons explains, "because it could be used for cribs and coffins and everything in between."...

Documents Indicate Federal Probe of Mountain Valley Pipeline Construction Underway (Feb. 15) Federal authorities have started a criminal investigation of the Mountain Valley Pipeline. According to disclosures filed with the Securities and Exchange Commission this week, the U. S. Attorney's Office in Roanoke and a grand jury have asked for company records related to pipeline construction. The Roanoke Times first reported the disclosures. Mountain Valley and the company building it have been named in several state actions and lawsuits related to runoff and erosion. But this is the first indication of federal criminal and civil investigations. In the disclosure, the company says it is complying with the requests for records. **Here is the complete disclosure from the EQM Midstream Partners annual report:** On January 7, 2019, the MVP Joint Venture received a letter from the U.S. Attorney's Office for the Western District of Virginia stating that it and the EPA are investigating potential criminal and/or civil violations of the Clean Water Act and other federal statutes as they relate to the construction of the MVP. The January 7, 2019 letter requests the MVP Joint Venture and its members, contractors, suppliers and other entities involved in the construction of the MVP to preserve documents related to the MVP generated from September 1, 2018 to the present. In a telephone call on February 4, 2019, the U.S. Attorney's Office confirmed that it has opened a criminal investigation. On February 11, 2019, the MVP Joint Venture

received a grand jury subpoena from the U.S. Attorney's Office for the Western District of Virginia requesting certain documents related to the MVP from August 1, 2018 to the present. The MVP Joint Venture is complying with the letter and subpoena but cannot predict whether any action will ultimately be brought by the U.S. Attorney's Office or what the outcome of such an action would be.

### **DANVILLE REGISTER AND BEE**

Anonymous Instagram posting spurs mold probe at Averett Frustrated over Averett University's handling of maintenance and longstanding mold issues, a group of unnamed students decided to create an anonymous Instagram account to post photos of unresolved problems. The account began posting photos on Tuesday, stating students privately messaged the images and descriptions to the account. "This page is now the voice of the student body," wrote the owners of the account in a direct message on Instagram to a Register & Bee reporter. The students behind the account refused to name themselves. In response to the account's creation, Averett University held a private meeting open to all students on Thursday at noon, alerting students in a campus-wide email on Wednesday. "We have recently heard some facilities concerns about the residence halls on campus," stated the email on Wednesday. "We take these concerns very seriously, and want to hear directly from you." Averett University Director of Marketing and Communications Cassie Jones said the meeting saw upward of 30 students for what she described as an "open" and "transparent" conversation. "We felt like we had a really productive conversation and are looking forward to more in the future," said Jones. She said they cleared up some confusion and took note of student complaints. Jones said the university was surprised and concerned by the appearance of the anonymous account, stating the campus is proud of its "open door policy." "We were very surprised they took to Instagram to do this as there were a number of other different ways," she said. She said students often walk into the offices of the president and deans, who are "committed to being open and hearing them." ...

### **INSIDE NORTHERN VA**

Community speaks out on fate of coal ash ponds at Possum Point The Potomac Riverkeeper Network is opposed to an on-site landfill for coal ash currently stored at Possum Point Power Station near Dumfries, said Potomac Riverkeeper Dean Naujoks. The coal ash pond is near residential neighborhoods and waterways, including the Potomac River, and would not be suitable for a landfill, Naujoks said. A byproduct of burning coal is dangerous, he said. General Assembly bipartisan legislation proposed Jan. 24 would require Dominion Energy to remove coal ash at Possum Point and other locations around the state and recycle a portion of it, but some Prince William County residents remain concerned about how the coal ash will be handled if the legislation is signed into law. A spokesperson for Dominion previously said the company cannot discuss specifics about its plan to remove coal ash from a pond at Possum Point until the legislation is finalized. The bipartisan legislation proposes to forbid Dominion from leaving the coal ash where it is and covering it, a practice known as cap in place. Naujoks was among seven people who spoke during a public hearing Tuesday about Dominion Energy's request for a solid waste permit to close four empty ponds at the site — Dominion has consolidated all of its coal ash into a single large pond. The state environmental quality department is accepting public comments via email or letters until midnight March 15. Then, DEQ will consider the comments and may issue Dominion's permit within 90 days, said Justin Williams, land division director for DEQ. If the permit is issued, the dirt will be inspected to make sure all coal ash is removed. In addition, Dominion will have to test surface water to analyze if coal ash has polluted water around the ponds, and the permit also will require monitoring of groundwater and wells. "[If the permit is issued] they have to demonstrate any concentrations are below groundwater standards so nothing is lingering," Williams said...

### **ASSOCIATED PRESS (Va.)**

Mountain Valley Pipeline Under Criminal Investigation Federal authorities have launched a criminal investigation into the Mountain Valley Pipeline in Virginia. The natural gas pipeline's parent company said in recent corporate filings with the SEC that it has been informed by the U.S. Attorney's Office for the Western District of Virginia of a criminal investigation. EQM Midstream Partners says in filings that the pipeline joint venture had received a grand jury subpoena for documents Monday. The scope of the inquiry is unclear. A spokesman for the U.S. Attorney's office did not immediately return a request for comment. An EQM spokeswoman says the company is complying with the subpoena. Last month, two local attorneys called for a federal investigation into whether pipeline crews violated laws by continuing construction on the 300-mile (483-kilometer) pipeline after a permit suspension.

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# MISCELLANEOUS

## GOVERNMENT EXECUTIVE

When Federal Employees Can Expect to See Their 1.9 Percent Pay Raise (Friday) When President Trump signed a bill to keep the government open through Sept. 30, he also authorized a 1.9 percent pay increase for federal civilian employees, effectively overriding his own pay freeze that he enacted last December. But that action is merely the first step in the process to provide a pay raise to federal workers, particularly since the provision is retroactive to the beginning of the year. According to a former Office of Management and Budget official familiar with the federal compensation system, Trump is now obligated to issue an executive order authorizing a 1.9 percent raise and publishing new pay tables across the various compensation structures. Once those pay tables are published, agency payroll processors will replace existing pay tables in their systems, likely beginning with the next full pay period. Since the current pay period ends Saturday, the first paycheck with the raise will most likely go out during the first or third week of March, provided Trump issues the order in a timely manner. OPM was unable to respond immediately to a query from *Government Executive*. Where things get more complicated is the issue of providing the pay retroactively. Since the bill states that the raise is effective as of the first pay period of 2019, that means agencies will be required to give lump sum payments to workers for what they are owed since Jan. 6. And that work comes as federal payroll processors continue to iron out problems where some employees who were furloughed or forced to work without pay during the 35-day partial government shutdown were not paid all that they were owed or saw key deductions not taken out of their paychecks... Still, it could take weeks for federal workers to see the retroactive raise in their bank accounts.

Trump's Declaration of Emergency Authority to Redirect Spending Will Bring Complex Challenges President Trump on Friday finally put specific numbers on his long-threatened plan to find new “pots” of money to build his version of a southern border wall that Congress has only partly funded. Defining those “pots” as the fight over his controversial plan unfolds will rope in not only politicians and lawyers, but, by necessity, budgetary technocrats....

## BLOOMBERG ENVIRONMENT

Chemours Failed Chemicals Reporting Rules in N.C., W.Va. (Feb. 15) Chemours failed to notify the EPA how it planned to process some toxic chemicals like GenX at facilities in North Carolina and West Virginia, the agency said in a notice of violations. The violations come after Chemours in 2017 agreed to stop dumping GenX, a toxic chemical used in nonstick coatings, in the the Cape Fear River after an Environmental Protection Agency probe. The EPA in a Feb. 13 notice said 2017 inspections found Chemours had violated chemical notification and reporting requirements at its Fayetteville, N.C., plant, and notification and control requirements at its Washington, W.Va. facility. At the Washington Works facility, EPA said the company didn't provide accurate data about two chemical substances and didn't control discharges and air emissions of GenX as required under a 2009 consent order. GenX is part of a family of toxic chemicals known as per- and polyfluoroalkyl substances (PFAS) that are used to make stain-resistant coatings for carpets, rain gear, fast food wrappers, and frying pans. As part of the violations, Chemours failed to tell the EPA the company was going to use two restricted chemicals, including hexafluoropropylene oxide, without giving the agency an opportunity to determine that use would pose undue risks. Chemours has 30 days to give the EPA a full response, and the company has already taken some steps to address the cited issues, spokesman Thom Sueta told Bloomberg Environment Feb. 15...

EPA Denied Public's Right to Know About Asbestos, Lawsuit Says The EPA denied the public's right to know the extent of asbestos and asbestos-containing products being imported into the U.S., a coalition of health and environmental groups say in a lawsuit filed Feb. 18. The groups want the Environmental Protection Agency's to force companies to report their annual imports and uses of asbestos and asbestos containing-products. The lawsuit, filed in the U.S. District Court for the Northern District of California, San Francisco, comes after the EPA on Dec. 21 denied the group's rulemaking petition asking for this requirement. “If you don't know where people are being exposed, how can you prevent their exposure?” Linda Reinstein, president and co-founder of the nonprofit Asbestos Disease Awareness Organization, told Bloomberg

## **GREENWIRE / E&E NEWS**

Trump's WOTUS: Clear as mud, scientists say The Trump administration's stated goal for a rule defining which wetlands and waterways get Clean Water Act protection: Write a simple regulation that landowners can understand. "I believe that any property owner should be able to stand on his or her property and be able to tell whether or not they have a 'water of the U.S.' on their property without having to hire an outside consultant or attorney," acting EPA Administrator Andrew Wheeler told the Senate Environment and Public Works Committee in mid-January. But scientists who specialize in the study of wetlands and waterways say it's not that simple. "In a lot of cases, I still don't think landowners could stand there and figure it out on their own," said Siobhan Fennessy, a biology professor at Kenyon College. "You're still going to need the industry of consultants we have to come out and offer assistance. I don't think they're going away." The new "waters of the U.S.," or WOTUS, proposal would erase federal protections for the more than 51 percent of wetlands and 18 percent of streams without relatively permanent surface water connections to nearby waterways, according to data from the U.S. Geological Survey. Wetlands — marshes, bogs, swamps and other soggy areas — are protected by law as stormwater buffers, pollution filters and wildlife habitat...

Coal Ash: Va. lawmakers send Dominion cleanup bill to governor Virginia lawmakers have approved legislation to require the state's largest electric utility to excavate and clean up unlined coal ash pits. The General Assembly approved legislation Friday to require Dominion Energy to recycle or store in lined landfills millions of cubic yards of coal ash currently located at sites around the state. Gov. Ralph Northam is expected to sign the legislation. The Democratic governor and a bipartisan group of lawmakers announced a compromise on the issue earlier this year (*Greenwire*, Jan. 25). Dominion said it also supported the plan. The company had argued for years that leaving coal ash in unlined pits was safe and the best alternative. Coal ash is waste left from burning the fossil fuel to produce electricity.

Air Pollution: Lawmakers reintroduce crowdsourcing, wood stove bills State regulators could crowdsource air quality compliance monitoring under a newly reintroduced bill by Rep. Dave Schweikert (R-Ariz.). The measure, H.R. 1284, would allow states to incorporate mobile air pollution sensors into their monitoring plans, along with standard stationary monitors that track concentrations of ozone and five other "criteria" pollutants named in the Clean Air Act. The resulting data could then be used in determining whether there had been exceedances of National Ambient Air Quality Standards for those pollutants. The legislation, co-sponsored by two Democrats, "would put the tracking of air quality into our community members' hands, and would help simplify the process for monitoring the air we breathe," Schweikert said in a Friday news release. "This could create a faster, healthier and fairer process to reduce bureaucratic red tape and promote safer air quality."...

Federal Workforce: Ethical do's and don'ts during a shutdown When the next shutdown hits, enjoy that free lunch. Take that check from your mother. But consult the agency ethics official before revving up a GoFundMe campaign. The Office of Government Ethics laid out some of these guidelines in a memo it issued Friday for federal employees who were furloughed during the partial government shutdown. The latest funding lapse lasted five weeks and furloughed about 380,000 government workers, sending several to scramble for financial help to pay their bills and feed their families. In the legal advisory sent to agency ethics officials, OGE Director Emory Rounds said "a number of ethics-related issues" arose during government shutdowns, including when it came to gifts, taking a job outside one's agency and crowdsourcing. Rounds, throughout the memo, urges federal employees to seek ethics advice from their agencies when they have questions. "Employees continue to be subject to all of the ethics rules while they are in non-pay status," he said. Rounds discussed crowdsourcing campaigns, using online platforms like GoFundMe, to support furloughed federal employees..

GREAT LAKES: New sport group coalition backs plan to keep out carp Hunting and fishing groups have teamed up to support a plan for preventing Asian carp from reaching the Great Lakes. They have formed the Great Lakes Conservation Coalition, which will push for funding of a strategy proposed by the Army Corps of Engineers. The \$778 million plan calls for installing technologies such as noisemakers and a water-flushing lock at the Brandon Road Lock and Dam in Joliet, Ill., to prevent the carp from migrating upstream to Lake Michigan. Scientists say the invasive fish could outcompete native species if they become established in the lake...

EPA: Leadership hindered chemical-testing program — draft report (Friday) EPA leadership has stalled research at the agency's program for toxic chemical risk assessments, according to a draft report from the government's watchdog agency. The Integrated Risk Information System "has been unable to release any work since June 2018 while it was waiting for feedback from the Administrator's office," according to a draft Government Accountability Office report obtained by *The Wall Street Journal*. The draft report found that the program's "progress toward producing assessments was delayed by EPA leadership deliberations about priorities," *The Wall Street Journal* reported. Specifically, it found that EPA leadership told various agency program heads in October to limit the chemicals they wanted IRIS to examine. IRIS then dropped nine of its 16 chemical assessments, including one on formaldehyde, according to the draft report. GAO declined to comment on the details of the draft report. A spokesman for the agency said it cannot comment on a report that has not been completed. It should be issued by March 6, the agency said. An EPA spokesman said the draft report is "incomplete" and should not be treated as a final version....